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BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 2949 /2004.

P.A. No 2999/04 Signature
Presented by Shri Som
dated 28/8/04

PETITIONER : Manoj Kumar S/o late Banturam, aged about 33 years, R/o village Dewkar, Tahsil Saja, Distt. Durg (C.G.).

Versus

RESPONDENTS :
1. State of Chhattisgarh
Through : Secretary,
Department of Education, D.K.S.
Bhawan, Mantralaya, Raipur (C.G.).
2. State of Madhya Pradesh
Through : Secretary, Department
of Education, Bhopal.
3. Union of India, Delhi.
4. Collector, Durg
5. District Education Officer, Durg
6. Principal, Govt. Higher Secondary
School, Dewkar, Tahsil Saja,
Distt. Durg (C.G.).

R/C
Shri Yadav
28/8/04
Clerk to Shri
Vinay Nayak
U.C.F.

RECEIVED COPY
28/8/04
Clerk to A.G. Bilaspur

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF MANDAMUS, CERTIORARI AND OTHER APPROPRIATE WRITS/ORDERS/DIRECTIONS

The above named petitioner respectfully begs to submit as under :-

1. PARTICULARS OF THE PETITIONER

As mentioned in the cause title.

2. PARTICULARS OF THE RESPONDENTS

As mentioned in the cause title.

....contd....

(44)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. No. 2949/04 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

22-12-2005

Petitioner by Shrimati Sudha Agrawal, Advocate.
Shri P.S. Koshy, Dy. Adv. General, for the State.
Heard.

This case relates to compassionate appointment consequent upon the death of an employee serving in the State.

Learned counsel for the petitioner categorically stated that in this case, the death of the employee has occurred on or after 1-11-1997 and not earlier. It is further submitted that in batch of cases bearing W.P. No.1322/2002 involving the same question orders have been passed by this Court on 20/12/2005. He prays that similar orders may be passed in this case also.

Learned counsel for the State does not dispute the above fact and state that the State of Chhattisgarh has taken a decision to consider the cases of dependants of those employees who died on or after 1/11/1997 strictly in accordance with the policy prevalent at that time.

In view of the submissions made by learned counsel appearing for the parties, without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the State of Chhattisgarh and the authorities concerned to consider and decide the case of the petitioner in accordance with the policy prevalent at the time of death of the employee concerned. If the petitioner found eligible, appointment orders will be issued as early as possible on or before 30th April, 2006. The petitioner is also directed to render due co-operation to the authorities. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law including filing of the petition before this Court.

With the aforesaid observations, this petition stands disposed of.

Certified copy as per rules.

Copy to the State counsel, who will be obliged to communicate the order to the respondents for compliance.

Sd/-
Fakhruddin
Judge

[पीछे देखिये